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EXAMINER

HENRY, RODNEY M

ART UNIT

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/743,413	<b>Applicant(s)</b> OLSON ET AL.	
	<b>Examiner</b> RODNEY M. HENRY	<b>Art Unit</b> 3622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 December 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/23/2003</u> .  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

The following is a non-final, first office action on the merits. Claims 1-41, as originally filed, are currently pending and have been considered below.

#### **Claim Rejections - 35 USC § 101**

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 35, 36, 37, 38, 39, 40, and 41 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claim 35 recites a computer-executable program or computer program. These claims should positively recite the proper computer readable medium [article of manufacture] for storing the computer-executable program.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**2. Claims 1-41 are rejected under 35 U.S.C. 102(e) as being anticipated by Del Sesto (US 6,985,882).**

**As per Claims 1:**

Del Sesto discloses a system for buying and selling spots for advertisements (see Abstract), said system comprising:

a central computer system connected to a global communications network (See FIG. 1, server 200 connected to the internet);

an agency unit connected to the global communications network, said agency unit including a plurality of terminals for receiving information from and transmitting information to said computer system via the network, and said agency unit being used by an agency in a process for buying advertisement spots (FIGS 6 and 7 and col 9, lines 60-62 discloses client units 709 buying advertisements);

a facilitator unit connected to the global communications network, said facilitator unit including a plurality of terminals for receiving information from and transmitting information to said computer system via the network, and said facilitator unit being used by a facilitator in the process for buying advertisement spots and in a process for selling advertisement spots (FIG. 7 discloses digital alpha server 701 [facilitator unit]);

an affiliate unit connected to the global communications network, said affiliate unit including a plurality of terminals for receiving information from and transmitting information to said computer system via the network, and said affiliate unit being used by an affiliate in the process for selling advertisement spots (FIG. 7 discloses seller units 702 cable operator, TV station 703, and web content provider 704),

wherein said computer system comprises a memory system (FIG. 7 discloses memory storage device 707 as the memory of the system) storing a computer: executable program that includes an agency module, a facilitator module, and an affiliate module, such that:

the facilitator module enables an authorized facilitator user to input information to the memory system of the computer system regarding an advertisement, to view and/or edit the inputted information, and to perform communications with the agency and the affiliate regarding the advertisement, the agency module enables an authorized agency user to view and/or obtain information regarding the advertisement from the memory system of the computer system, and to perform communications with the facilitator regarding the advertisement, and the affiliate module enables an authorized affiliate user to view and/or obtain information regarding the advertisement from the memory system of the computer system, and to perform communications with the facilitator regarding the advertisement (col 2, lines 45-50 discloses the central server allowing the above transactions between the buyer [agency] and the sellers [affiliates]).

**As per Claims 2:**

Del Sesto explicitly discloses the agency module is adapted to enable the authorized agency user to: submit an availability request to the facilitator regarding the advertisement;

view proposal information for a proposal from the facilitator regarding the availability request; submit a response to the proposal to the facilitator; if the proposal is accepted by the agency, view order information for an order to the affiliate regarding the

advertisement, the order information including a schedule of spots for the advertisement; if the order is accepted by the affiliate, view contract information for a contract automatically generated from the accepted order (col 8, lines 12-15 discloses If the "late status" box is checked (FIGS. 4F, 4I), the buyer may view a late avail set for a bid to a seller, as shown in FIG. 4P. Late avail sets represent avails in the near future which have not been sold);

view invoice information for an invoice corresponding to the order (FIG. 5G discloses invoice information for several agencies);

download a version of the proposal information, the order information, the contract information, and/or the invoice information formatted for analysis using agency software (col 9, lines 39-41 and FIG. 6 discloses step 603, when the seller views the accepted contract, the seller is able to download the buyer's content from the server); and view and/or print a printable version of the proposal, the order, the contract, and/or the invoice information (See FIGS. 4-5).

**As per Claims 3 and 5:**

Del Sesto explicitly discloses each of the proposal information, the order information, the contract information, and the invoice information includes status information for tracking a status of the proposal, the order, the contract, and the invoice, respectively (col 2, lines 7-8 discloses that the seller must keep track of these "makegoods" in the buyer's account).

**As per Claims 4:**

Del Sesto explicitly discloses the affiliate module is adapted to enable the authorized affiliate user to: submit availability information to the facilitator regarding available spots for advertisements (col 8, lines 36-7 discloses the seller may view and update her avail inventory (FIG. 5D));

view order information for an order from the facilitator regarding the advertisement, the order information including a schedule of spots for the advertisement; submit a response to the order to the facilitator; if the order is accepted by the affiliate, view contract information for a contract automatically generated from the accepted order; submit information regarding an affidavit of performance of the contract to the facilitator; download a version of the order and/or the contract formatted for analysis using affiliate software; and view and/or print a printable version of the order and/or the contract (col 8, lines 36-39 discloses The seller may view and update her avail inventory (FIG. 5D), may view contracts and make-goods owed to buyers (Fig. 5I), may create and edit rate cards (FIG. 5C), and may process incoming bids (FIG. 5G)).

**As per Claims 6:**

Del Sesto explicitly discloses the facilitator module is adapted to enable the authorized facilitator user to: receive an availability request from the agency regarding the advertisement; exchange availability information with the affiliate regarding available of spots for advertisements; prepare a proposal for an advertisement schedule; submit the proposal to the agency; receive a response to the proposal from the agency; revise the proposal; if the proposal is accepted by the agency, generate an order from the

accepted proposal; submit the order to the affiliate; receive a response to the order from the affiliate to the facilitator; if the order is accepted by the affiliate, automatically generate a contract from the accepted order;

revise the order and submit the revised order to the affiliate; if the revised order is accepted by the affiliate, automatically generate a contract from the accepted revised order; store and update invoice information for an invoice corresponding to the order; and receive information regarding an affidavit of performance of the contract from the affiliate (Col 9, lines 44-67 and FIG. 7 discloses digital alpha server [facilitator module] being at the heart of the global network to accomplish the tasks above).

**As per Claims 7:**

Del Sesto explicitly discloses multiple authorized agency users from multiple agencies may access the agency module (FIG. 1 discloses multiple media buyers [agencies] 103).

**As per Claims 8:**

Del Sesto explicitly discloses multiple authorized affiliate users from multiple affiliates may access the affiliate module (FIG. 1 discloses multiple media seller [affiliates]).

**As per Claims 9:**

Del Sesto explicitly discloses the network is comprised of an Internet network (FIG. 1 discloses the Internet at item 104).



**As per Claims 10, 22, 28, 32, 35, 38 :**

Del Sesto explicitly discloses a system, method, programmable computer, and computer executable program for buying spots for advertisements, said system comprising: a central computer system connected to a global communications network; an agency unit connected to the global communications network, said agency unit including a plurality of terminals for receiving information from and transmitting information to said computer system via the network, and said agency unit being used by an agency in a process for buying advertisement spots (FIGS 6 and 7 and col 9 lines 60-62 discloses client units 709 buying advertisements); a facilitator unit connected to the global communications network, said facilitator unit including a plurality of terminals for receiving information from and transmitting information to said computer system via the network, and said facilitator unit being used by a facilitator in the process for buying advertisement spots (FIG. 7 discloses digital alpha server 701 [facilitator unit]); wherein said computer system comprises a memory system storing a computer-executable program that includes an agency module and a facilitator module, such that: the facilitator module enables an authorized facilitator user to input information to the memory system of the computer system regarding an advertisement (FIG. 7 discloses memory storage device 707 as the memory of the system), to view and/or edit the inputted information, and to perform communications with the agency, and the agency module enables an authorized agency user to obtain information regarding the advertisement from the memory system of the computer system, and to perform communications with the facilitator user regarding the advertisement, and wherein the

agency module is adapted to implement any or all of: a logon authorization process to permit only an authorized agency user to access the agency module (col 4, lines 56-58 discloses Buyer group number 302 represents individuals who can purchase on behalf of a single buyer for a specific client account or accounts [logon IDs]); a search of the memory system for orders associated with a logon ID of the authorized agency user, based on search criteria inputted by the authorized agency user; cause a list of orders resulting from the search to be displayed; cause information corresponding to an order selected from the list to be displayed; cause proposal information, contract information, and/or invoice information corresponding to the selected order to be displayed; convert the order information, the proposal information, the contract information, and/or the invoice information to a format selected by the authorized agency user, the format being compatible with agency software; and download the converted order information, the converted proposal information, the converted contract information, and/or the converted invoice information to the agency unit (col 3, lines 9-17 discloses search criteria, the server further receiving bids on advertising units selected by buyers from the search, and communicating the bids to sellers of the advertising units, and providing sellers of the advertising units access to the database over the network, whereby the sellers may enter the information, receive bids entered by the buyers, accept the bids, modify the bids, and enter contracts into the server for communication to the buyers).

**As per Claims 11:**

Del Sesto explicitly discloses the agency module is adapted to implement any or all of: search of the memory system for proposals associated with a logon ID of the

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authorized agency user, based on search criteria inputted by the authorized agency user; cause a list of proposals resulting from the search to be displayed; cause information corresponding to a proposal selected from the list of proposals to be displayed; enable the authorized agency user to input comments on each schedule entry of a plurality of schedule entries of the selected proposal; generate a printable version of the proposal information (col 3, lines 9-17 discloses search criteria, the server further receiving bids on advertising units selected by buyers [agency module] from the search, and communicating the bids to sellers of the advertising units, and providing sellers of the advertising units access to the database over the network, whereby the sellers may enter the information, receive bids entered by the buyers, accept the bids, modify the bids, and enter contracts into the server for communication to the buyers).

**As per Claims 12:**

Del Sesto explicitly discloses the agency module is adapted to implement any or all of: perform a search of the memory system for invoice information associated with a logon ID of the authorized agency user, based on search criteria inputted by the authorized agency user; cause a list of invoices resulting from the search to be displayed; cause information corresponding to an invoice selected from the list of invoices to be displayed; convert the invoice information to a format selected by the authorized agency user, the format being compatible with agency software; and download the converted invoice information to the agency unit (col 3, lines 9-17 discloses search criteria, the server further receiving bids on advertising units selected by buyers [agency module] from the search, and communicating the bids [invoices] to

sellers of the advertising units, and providing sellers of the advertising units access to the database over the network, whereby the sellers may enter the information, receive bids entered by the buyers, accept the bids, modify [convert invoices] the bids, and enter contracts into the server for communication to the buyers)

**As per Claims 13:**

Del Sesto explicitly discloses the network is comprised of an Internet network (FIG. 1 discloses the Internet at item 104).

**As per Claims 14, 26, 29, 34, 36, 41:**

Del Sesto explicitly discloses a system, method and programmable computer for selling spots for advertisements, said system comprising: a central computer system connected to a global communications network (FIG. 7 discloses memory storage device 707 as the memory of the system); an affiliate unit connected to the global communications network, said affiliate unit including a plurality of terminals for receiving information from and transmitting information to said computer system via the network, and said affiliate unit being used by an affiliate in a process for selling advertisement spots (FIG. 7 discloses seller units 702 cable operator, TV station 703, and web content provider 704); a facilitator unit connected to the global communications network, said facilitator unit including a plurality of terminals for receiving information from and transmitting information to said computer system via the network, and said facilitator unit being used by a facilitator in the process for selling advertisement spots (FIG. 7 discloses digital alpha server 701 [facilitator unit]); wherein said computer system comprises a memory system storing a computer-executable program that includes an

affiliate module and a facilitator module, such that: the facilitator module enables an authorized facilitator user to input information to the memory system of the computer system regarding an advertisement, to view and/or edit the inputted information, and to perform communications with the affiliate, and the affiliate module enables an authorized affiliate user to obtain information regarding the advertisement from the memory system of the computer system, and to perform communications with the facilitator user regarding the advertisement (col 2, lines 45-50 discloses the central server allowing the above transactions between the buyer [agency] and the sellers [affiliates]), and wherein the affiliate module is adapted to implement any or all of: a logon authorization process to permit only an authorized affiliate users to access the affiliate module; a search of the memory system for orders associated with a logon ID of the authorized affiliate user, based on search criteria inputted by the authorized affiliate user; cause a list of orders resulting from the search to be displayed; cause information corresponding to an order selected from the list to be displayed; cause contract information corresponding to the selected order to be displayed; convert the order information and/or the contract information to a format selected by the authorized agency user, the format being compatible with agency software; and download the converted order information and/or the converted contract information to the affiliate unit (col 3, lines 9-17 discloses search criteria, the server further receiving bids on advertising units selected by buyers from the search, and communicating the bids to sellers of the advertising units, and providing sellers of the advertising units access to the database over the network, whereby the sellers may enter the information, receive

bids entered by the buyers, accept the bids, modify the bids, and enter contracts into the server for communication to the buyers).

**As per Claims 15:**

Del Sesto explicitly discloses the network is comprised of an Internet network (FIG. 1 discloses the Internet at item 104).

**As per Claims 16:**

Del Sesto explicitly discloses a method for buying spots for advertisements utilizing a central computer system with a memory system storing a computer-executable program (FIG. 7 discloses memory storage device 707 as the memory of the system) that includes an agency module, a facilitator module, and an affiliate module, and utilizing a global communications network interconnecting the computer system, an agency, a facilitator, and an affiliate, said method comprising the steps of:

the agency submitting, via the agency module and the network, an availability request to the facilitator regarding the advertisement; the agency viewing, via the agency module and the network, proposal information for a proposal from the facilitator regarding the availability request (col 6, lines 54-57 discloses that the buyer also may browse the avail market or view contracts and make-goods);

the agency submitting, via the agency module and the network, a response to the proposal to the facilitator; if the proposal is accepted by the agency, the agency viewing, via the agency module and the network, order information for an order to the affiliate regarding the advertisement, the order information including a schedule of spots for the advertisement; if the order is accepted by the affiliate, the agency viewing, via the

agency module and the network, contract information for a contract automatically generated from the accepted order; the agency viewing, via the agency module and the network, invoice information for an invoice corresponding to the order (col 6, lines 54-57 discloses that the buyer also may browse the avail market or view contracts and make-goods); the agency selecting, via the agency module, a format for downloading the proposal information, the order information, the contract information, and/or the invoice information, such that information downloaded in the selected format is compatible with and may be is further analyzed using agency software; and the agency viewing and/or printing, via the agency module and the network, a printable version of the proposal, the order, the contract, and/or the invoice information (col 9, lines 32-42 discloses once the buyer has accepted the seller's contract for an avail or avail set. At step 601, the buyer accepts the contract by selecting the appropriate screen display icon. At step 602, the buyer uploads the advertising or commercial content to the server 101. At step 603, when the seller views the accepted contract [screen print], the seller is able to download the buyer's content from the server 101, and integrate it into the seller's programming system).

**As per Claims 17:**

Del Sesto explicitly discloses each of the proposal information, the order information, the contract information, and the invoice information includes status information for tracking a status of the proposal, the order, the contract, and the invoice, respectively (col 2, lines 7-8 discloses The seller must keep track of these "makegoods" in the buyer's account).

**As per Claims 18:**

Del Sesto explicitly discloses a method for selling spots for advertisements utilizing a central computer system with a memory system storing a computer-executable program (FIG. 7 discloses memory storage device 707 as the memory of the system) that includes an agency module, a facilitator module, and an affiliate module, and utilizing a global communications network interconnecting the computer system, an agency, a facilitator, and an affiliate, said method comprising the steps of:

the affiliate submitting, via the affiliate module and the network, availability information to the facilitator regarding available spots for advertisements; the affiliate viewing, via the affiliate module and the network, order information for an order from the facilitator regarding the advertisement, the order information including a schedule of spots for the advertisement; the affiliate submitting, via the affiliate module and the network, a response to the order to the facilitator; if the order is accepted by the affiliate, the affiliate viewing, via the affiliate module and the network, contract information for a contract automatically generated from the accepted order (col 8, lines 65-67 discloses that the seller may decide to show the number of avails or an avail status to buyers, and may select particular numbers of avails for the system to release either immediately or on selected dates);

the affiliate submitting, via the affiliate module and the network, information regarding an affidavit of performance of the contract to the facilitator; the affiliate selecting, via the affiliate module, a format for downloading the order information and/or the contract information, such that information downloaded in the selected format is



compatible with and may be analyzed using affiliate software; and the affiliate viewing and/or printing, via the affiliate module and the network, a printable version of the order and/or the contract (col 8, lines 33-37 discloses The seller may view and update her avail inventory (FIG. 5D), may view contracts and make-goods owed to buyers (Fig. 5I), may create and edit rate cards (FIG. 5C), and may process incoming bids (FIG. 5G)).

**As per Claims 19:**

Del Sesto explicitly discloses each of the order information and the contract information includes status information for tracking a status of the order and the contract, respectively (col 2, lines 7-8 discloses that the seller must keep track of these "makegoods" in the buyer's account).

**As per Claims 20:**

Del Sesto explicitly discloses a method according to any one of Claims 16 and 18, wherein the facilitator module is adapted to enable the authorized facilitator user to: receive an availability request from the agency regarding the advertisement; exchange availability information with the affiliate regarding available of spots for advertisements; prepare a proposal for an advertisement schedule; submit the proposal to the agency; receive a response to the proposal from the agency; revise the proposal; if the proposal is accepted by the agency, generate an order from the accepted proposal; submit the order to the affiliate; receive a response to the order from the affiliate to the facilitator; if the order is accepted by the affiliate, automatically generate a contract from the accepted order; revise the order and submit the revised order to the affiliate; if the revised order is accepted by the affiliate, automatically generate a contract from the

accepted revised order; store and update invoice information for an invoice corresponding to the order; and receive information regarding an affidavit of performance of the contract from the affiliate (col 2, lines 45-50 discloses the central server allowing the above transactions between the buyer [agency] and the sellers [affiliates]).

**As per Claims 21:**

Del Sesto explicitly discloses the network is comprised of an Internet network (FIG. 1 discloses the Internet at item 104).

**As per Claims 23:**

Del Sesto explicitly discloses a method according to Claim 22, further comprising the steps of inputting, via the agency module and the network, search criteria for searching for proposals; searching, via the agency module and the network, the memory system for proposals associated with the logon ID of the authorized agency user, based on the inputted search criteria; the agency module causing a list of proposals resulting from the search to be displayed; selecting, via the agency module and the network, a proposal from the list of proposals (col 7, lines 17-19 discloses The buyer also may apply the search results to the shopping list by clicking the "apply to shopping list" icon, which returns the buyer to FIG. 4D); the agency module causing information corresponding to the selected proposal to be displayed; inputting, via the agency module and the network, comments on each schedule entry of a plurality of schedule entries of the selected proposal; and generating, via the agency module and the network, a printable version of the proposal information (col 7, lines 39-41 discloses

that the buyer then has the option of saving the edits and holding the defined search, sending the bid [proposal] to the seller, viewing the contract for the bid, viewing past contracts with the seller).

**As per Claims 24, 40:**

Del Sesto explicitly discloses a method according to Claim 22, further comprising the steps of inputting, via the agency module and the network, search criteria for searching for invoice information; searching, via the agency module and the network, the memory system for invoice information associated with the logon ID of the authorized agency user, based on the inputted search criteria; the agency module causing a list of invoices resulting from the search to be displayed (col 7, lines 17-19 discloses that the buyer also may apply the search results to the shopping list [invoices] by clicking the "apply to shopping list" icon, which returns the buyer to FIG. 4D); selecting, via the agency module and the network, an invoice from the list of invoices; the agency module causing information corresponding to the selected invoice to be displayed; selecting, via the agency module and the network, a download format that is compatible with agency software; the agency module converting the invoice information to the selected format; and the agency module downloading the converted invoice information to the agency unit (col 7, lines 39-41 discloses that the buyer then has the option of saving the edits and holding the defined search, sending the bid [bids become invoices when accepted by the seller] to the seller, viewing the contract for the bid, viewing past contracts with the seller).

**As per Claims 25 and 27:**

Del Sesto explicitly discloses the network is comprised of an Internet network (FIG. 1 discloses the Internet at item 104).

**As per Claims 30:**

Del Sesto explicitly discloses a programmable computer according to one of Claims 28 and 29, 20, wherein the facilitator module is adapted to enable the authorized facilitator user to: receive an availability request from the agency regarding the advertisement; exchange availability information with the affiliate regarding available of spots for advertisements; prepare a proposal for an advertisement schedule; submit the proposal to the agency; receive a response to the proposal from the agency; revise the proposal; if the proposal is accepted by the agency, generate an order from the accepted proposal; submit the order to the affiliate; receive a response to the order from the affiliate to the facilitator; if the order is accepted by the affiliate, automatically generate a contract from the accepted order; revise the order and submit the revised order to the affiliate; if the revised order is accepted by the affiliate, automatically generate a contract from the accepted revised order; store and update invoice information for an invoice corresponding to the order; and receive information regarding an affidavit of performance of the contract from the affiliate (col 2, lines 45-50 discloses the central server [programmable computer] allowing the above transactions between the buyer [agency] and the sellers [affiliates]).

**As per Claims 32, 39:**

Del Sesto explicitly discloses a programmable computer according to Claim 31, wherein the method further comprises the steps of: inputting, via the agency module and the network, search criteria for searching for proposals; searching, via the agency module and the network, the memory system for proposals associated with a logon ID of the authorized agency user, based on the inputted search criteria; the agency module causing a list of proposals resulting from the search to be displayed (col 7, lines 39-41 discloses that the buyer [agency] then has the option of saving the edits and holding the defined search, sending the bid [proposal] to the seller, viewing the contract for the bid, viewing past contracts with the seller); selecting, via the agency module and the network, a proposal from the list of proposals; the agency module causing information corresponding to the selected proposal to be displayed; inputting, via the agency module and the network, comments on each schedule entry of a plurality of schedule entries of the selected proposal; and generating, via the agency module and the network, a printable version of the proposal information (FIG. 5G discloses several bids [proposals] that are printed on the screen).

**As per Claims 33:**

Del Sesto explicitly discloses the method further comprises the steps of: inputting, via the agency module and the network, search criteria for searching for invoice information; searching, via the agency module and the network, the memory system for invoice information associated with a logon ID of the authorized agency user, based on the inputted search criteria; the agency module causing a list of invoices

resulting from the search to be displayed (col 7, lines 39-41 discloses that the buyer [agency] then has the option of saving the edits and holding the defined search, sending the bid [becomes invoices when accepted] to the seller, viewing the contract for the bid, viewing past contracts with the seller); selecting, via the agency module and the network, an invoice from the list of invoices; the agency module causing information corresponding to the selected invoice to be displayed; selecting, via the agency module and the network, a download format that is compatible with agency software; the agency module converting the invoice information to the selected format; and the agency module downloading the converted invoice information to the agency unit (FIG. 5G discloses several bids and offers that are printed on the screen).

**As per Claims 37:**

Del Sesto explicitly discloses a computer-program product according to any one of Claims 35 and 36, wherein the facilitator module is adapted to enable an authorized facilitator user to: receive an availability request from the agency regarding the advertisement; exchange availability information with the affiliate regarding available of spots for advertisements; prepare a proposal for an advertisement schedule; submit the proposal to the agency; receive a response to the proposal from the agency; revise the proposal; if the proposal is accepted by the agency, generate an order from the accepted proposal; submit the order to the affiliate; receive a response to the order from the affiliate to the facilitator; if the order is accepted by the affiliate, automatically generate a contract from the accepted order; revise the order and submit the revised order to the affiliate; if the revised order is accepted by the affiliate, automatically

generate a contract from the accepted revised order; store and update invoice information for an invoice corresponding to the order; and receive information regarding an affidavit of performance of the contract from the affiliate (col 2, lines 45-50 discloses the central server [programmable computer] allowing the above transactions between the buyer [agency] and the sellers [affiliates]).

### ***Conclusion***

1. The prior art made of record and not relied upon is considered pertinent to the applicant's disclosure.

Maggio, Frank S. (US 6606745) discloses a method and system for communicating advertising and entertainment content and gathering consumer information.

Hennessey, Peter J. (US 7343354) discloses a method for determining demand and pricing of advertising time in the media industry.

Holtz, Alex et al. (US 6760916) discloses a method, system and computer program product for producing and distributing enhanced media downstream.

Microsoft Computer Dictionary, Fifth Edition

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney M. Henry whose telephone number is 571-270-5102. The examiner can normally be reached on Monday through Thursday from 7:30am to 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber can be reached on 571-272-6724. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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RMH

/Arthur Duran/  
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